

## Environmental Protection Agency

## § 82.13

credits that are being converted and transferred.

(2) [Reserved]

### § 82.13 Recordkeeping and reporting requirements.

(a) Unless otherwise specified, the recordkeeping and reporting requirements set forth in this section take effect on January 1, 1995.

(b) Reports and records required by this section may be used for purposes of compliance determinations. These requirements are not intended as a limitation on the use of other evidence admissible under the Federal Rules of Evidence. Failure to provide the reports, petitions and records required by this section, and to certify the accuracy of the information in the reports, petitions and records required by this section, will be considered a violation of this subpart. False statements made in reports, petitions and records will be considered violations of Section 113 of the Clean Air Act.

(c) Unless otherwise specified, reports required by this section must be mailed to the Administrator within 45 days of the end of the applicable reporting period.

(d) Records and copies of reports required by this section must be retained for three years.

(e) In reports required by this section, quantities of controlled substances must be stated in terms of kilograms.

(f) Every person ("producer") who produces class I controlled substances during a control period must comply with the following recordkeeping and reporting requirements:

(1) Within 120 days of May 10, 1995, or within 120 days of the date that a producer first produces a class I controlled substance, whichever is later, every producer who has not already done so must submit to the Administrator a report describing:

(i) The method by which the producer in practice measures daily quantities of controlled substances produced;

(ii) Conversion factors by which the daily records as currently maintained can be converted into kilograms of controlled substances produced, including any constants or assumptions used in making those calculations (e.g.,

tank specifications, ambient temperature or pressure, density of the controlled substance);

(iii) Internal accounting procedures for determining plant-wide production;

(iv) The quantity of any fugitive losses accounted for in the production figures; and

(v) The estimated percent efficiency of the production process for the controlled substance. Within 60 days of any change in the measurement procedures or the information specified in the above report, the producer must submit a report specifying the revised data or procedures to the Administrator.

(2) Every producer of a class I or class II controlled substance during a control period must maintain the following records:

(i) Dated records of the quantity of each controlled substance produced at each facility;

(ii) Dated records of the quantity of controlled substances produced for use in processes that result in their transformation or for use in processes that result in their destruction and quantity sold for use in processes that result in their transformation or for use in processes that result in their destruction;

(iii) Dated records of the quantity of controlled substances produced for an essential-use and quantity sold for use in an essential-use process;

(iv) Dated records of the quantity of controlled substances produced with expended destruction and/or transformation credits;

(v) Dated records of the quantity of controlled substances produced with Article 5 allowances;

(vi) Copies of invoices or receipts documenting sale of controlled substance for use in processes resulting in their transformation or for use in processes resulting in destruction;

(vii) Dated records of the quantity of each controlled substance used at each facility as feedstocks or destroyed in the manufacture of a controlled substance or in the manufacture of any other substance, and any controlled substance introduced into the production process of the same controlled substance at each facility;

(viii) Dated records identifying the quantity of each chemical not a controlled substance produced within each facility also producing one or more controlled substances;

(ix) Dated records of the quantity of raw materials and feedstock chemicals used at each facility for the production of controlled substances;

(x) Dated records of the shipments of each controlled substance produced at each plant;

(xi) The quantity of controlled substances, the date received, and names and addresses of the source of used materials containing controlled substances which are recycled or reclaimed at each plant;

(xii) Records of the date, the controlled substance, and the estimated quantity of any spill or release of a controlled substance that equals or exceeds 100 pounds;

(xiii) Internal Revenue Service Certificates in the case of transformation, or the destruction verification in the case of destruction (as in §82.13(k)), showing that the purchaser or recipient of a controlled substance, in the United States or in another country that is a Party, certifies the intent to either transform or destroy the controlled substance, or sell the controlled substance for transformation or destruction in cases when production and consumption allowances were not expended;

(xiv) Written verifications that essential-use allowances were conveyed to the producer for the production of specified quantities of a specific controlled substance that will only be used for the named essential-use and not resold or used in any other manufacturing process.

(xv) Written certifications that quantities of controlled substances, meeting the purity criteria in Appendix G of this subpart, were purchased by distributors of laboratory supplies or by laboratory customers to be used only for an essential-use laboratory application, and not to be resold or used in manufacturing.

(xvi) Written verifications from a U.S. purchaser that the controlled substance was exported to an Article 5 country in cases when Article 5 allow-

ances were expended during production; and

(3) For each quarter, each producer of a class I controlled substance must provide the Administrator with a report containing the following information:

(i) The production by company in that quarter of each controlled substance, specifying the quantity of any controlled substance used in processing, resulting in its transformation by the producer;

(ii) The amount of production for use in processes resulting in destruction of controlled substances by the producer;

(iii) The levels of production (expended allowances and credits) for each controlled substance;

(iv) The producer's total of expended and unexpended production allowances, consumption allowances, Article 5 allowances, and amount of essential-use allowances and destruction and transformation credits conferred at the end of that quarter;

(v) The amount of controlled substance sold or transferred during the quarter to a person other than the producer for use in processes resulting in its transformation or eventual destruction;

(vi) A list of the quantities and names of controlled substances exported, by the producer and or by other U.S. companies, to a Party to the Protocol that will be transformed or destroyed and therefore were not produced expending production or consumption allowances;

(vii) For transformation in the United States or by a person of another Party, one copy of an IRS certification of intent to transform the same controlled substance for a particular transformer and a list of additional quantities shipped to that same transformer for the quarter;

(viii) For destruction in the United States or by a person of another Party, one copy of a destruction verification (as under §82.13(k)) for a particular destroyer, destroying the same controlled substance, and a list of additional quantities shipped to that same destroyer for the quarter;

(ix) A list of U.S. purchasers of controlled substances that exported to an Article 5 country in cases when Article

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5 allowances were expended during production;

(x) A list of the essential-use allowance holders, distributors of laboratory supplies and laboratory customers from whom orders were placed and the quantity of specific essential-use controlled substances requested and produced;

(xi) The certifications from essential-use allowance holders stating that the controlled substances were purchased solely for specified essential uses and will not be resold or used in any other manufacturing process;

(xii) In the case of laboratory essential uses, a certification from distributors of laboratory supplies that controlled substances were purchased for sale to laboratory customers who certify that the substances will only be used for laboratory applications and will not be resold or used in manufacturing; or, if sales are made directly to laboratories, certifications from laboratories that the controlled substances will only be used for laboratory applications and will not be resold or used in manufacturing.

(4) For any person who fails to maintain the records required by this paragraph, or to submit the report required by this paragraph, the Administrator may assume that the person has produced at full capacity during the period for which records were not kept, for purposes of determining whether the person has violated the prohibitions at § 82.4.

(g) Importers of class I controlled substances during a control period must comply with record-keeping and reporting requirements specified in this paragraph (g).

(1) Recordkeeping—Importers. Any importer of a class I controlled substance (including used, recycled and reclaimed controlled substances) must maintain the following records:

(i) The quantity of each controlled substance imported, either alone or in mixtures, including the percentage of each mixture which consists of a controlled substance;

(ii) The quantity of those controlled substances imported that are used (including recycled or reclaimed) and the information provided with the petition as under § 82.13(g)(2);

(iii) The quantity of controlled substances other than transshipments or used, recycled or reclaimed substances imported for use in processes resulting in their transformation or destruction and quantity sold for use in processes that result in their destruction or transformation;

(iv) The date on which the controlled substances were imported;

(v) The port of entry through which the controlled substances passed;

(vi) The country from which the imported controlled substances were imported;

(vii) The commodity code for the controlled substances shipped, which must be one of those listed in Appendix K to this subpart;

(viii) The importer number for the shipment;

(ix) A copy of the bill of lading for the import;

(x) The invoice for the import;

(xi) The quantity of imports of used, recycled or reclaimed class I controlled substances and class II controlled substances;

(xii) The U.S. Customs entry form;

(xiii) Dated records documenting the sale or transfer of controlled substances for use in processes resulting in transformation or destruction;

(xiv) Copies of IRS certifications that the controlled substance will be transformed or destruction verifications that it will be destroyed (as in § 82.13(k));

(xv) Dated records of the quantity of controlled substances imported for an essential-use or imported with destruction and transformation credits; and

(xvi) Copies of certifications that imported controlled substances are being purchased for essential laboratory and analytical applications or being purchased for eventual sale to laboratories that certify the controlled substances are for essential laboratory applications.

(2) Petitioning—Importers of Used, Recycled or Reclaimed Controlled Substances and Transshipments. For each individual shipment (not to be aggregated) over 150 pounds of a used, recycled or reclaimed controlled substance as defined in § 82.3, an importer must submit to the Administrator, at least 15 working days before the shipment is

to leave the foreign port of export, the following information in a petition:

(i) The name and quantity of the used, recycled or reclaimed controlled substance to be imported (including material that has been recycled or reclaimed);

(ii) The name and address of the importer, the importer ID number, the contact person, and the phone and fax numbers;

(iii) Name and address of the source(s) of the used, recycled or reclaimed controlled substance, including a description of the previous use(s), when possible;

(iv) Name and address of the exporter and/or foreign owner of the material,

(v) The U.S. port of entry for the import, the expected date of shipment and the vessel transporting the chemical;

(vi) The intended use of the used, recycled or reclaimed controlled substance;

(vii) The name, address and contact person of the U.S. reclamation facility, where applicable;

(viii) A certification that the purchaser of the used, recycled or reclaimed controlled substance being imported is liable for payment of the tax;

(ix) If the imported controlled substance was reclaimed in a foreign Party, the name and address of the foreign reclamation facility, the contact person at the facility, and the phone and fax number;

(x) If the imported used controlled substance is intended to be sold as a refrigerant in the U.S., the name and address of the U.S. reclaimer who will bring the material to the standard required under section 608 (§82.152(g)) of the CAA, if not already reclaimed to those specifications.

(xi) Rules stayed for reconsideration. Notwithstanding any other provisions of this subpart, the effectiveness of 40 CFR 82.13(g)(2)(viii) is stayed from July 11, 1996 until the completion of the reconsideration of 40 CFR 82.13(g)(2)(viii).

(3) The Administrator will review the information submitted under paragraph (g)(2) of this section and assess the completeness and accuracy of the petition for the import of the used, recycled or reclaimed controlled substance. If the Administrator determines that the information is insuffi-

cient, or there is reason to disallow the import, the Administrator will issue an objection notice before the shipment is to leave the foreign port of export (the end of the 15 working days). In the event that the Administrator does not respond to the petition within the 15 working days, the importer may proceed with the import. The importer may re-petition the Agency, if the Administrator indicated insufficient information to make a determination.

(4) Reporting Requirements—Importers. For each quarter, every importer of a class I controlled substance (including importers of used, recycled or reclaimed controlled substances) must submit to the Administrator a report containing the following information:

(i) Summaries of the records required in paragraphs (g)(1) (i) through (xvi) of this section for the previous quarter;

(ii) The total quantity imported in kilograms of each controlled substance for that quarter;

(iii) The quantity of those controlled substances imported that are used controlled substances.

(iv) The levels of import (expended consumption allowances before January 1, 1996) of controlled substances for that quarter and totaled by chemical for the control-period-to-date;

(vii) The importer's total sum of expended and unexpended consumption allowances by chemical as of the end of that quarter;

(viii) The amount of controlled substances imported for use in processes resulting in their transformation or destruction;

(ix) The amount of controlled substances sold or transferred during the quarter to each person for use in processes resulting in their transformation or eventual destruction;

(x) The amount of controlled substances sold or transferred during the quarter to each person for an essential use;

(xi) The amount of controlled substances imported with destruction and transformation credits;

(xii) Internal Revenue Service Certificates showing that the purchaser or recipient of imported controlled substances intends to transform those substances or destruction verifications (as in §82.13(k)) showing that purchaser or

recipient intends to destroy the controlled substances; and

(xiii) The certifications from essential-use allowance holders and laboratory customers stating that the controlled substances were purchased solely for specified essential uses and will not be resold or used in manufacturing; or, if sales are made directly to laboratories, certifications from laboratories that the controlled substances will only be used for laboratory applications and will not be resold or used in manufacturing;

(xiv) In the case of laboratory essential uses, a certification from distributors of laboratory supplies that controlled substances were purchased for sale to laboratory customers who certify that the substances will only be used for laboratory applications and will not be resold or used in manufacturing; and

(h) Reporting Requirements—Exporters. For any exports of class I controlled substances not reported under § 82.10 (additional consumption allowances), or under § 82.13(f)(3) (reporting for producers of controlled substances), the exporter who exported a class I controlled substances must submit to the Administrator the following information within 45 days after the end of the control period in which the unreported exports left the United States:

(1) The names and addresses of the exporter and the recipient of the exports;

(2) The exporter's Employee Identification Number;

(3) The type and quantity of each controlled substance exported and what percentage, if any, of the controlled substance is used, recycled or reclaimed;

(4) The date on which, and the port from which, the controlled substances were exported from the United States or its territories;

(5) The country to which the controlled substances were exported;

(6) The amount exported to each Article 5 country;

(7) The commodity code of the controlled substance shipped; and

(8) The invoice or sales agreement containing language similar to the Internal Revenue Service Certificate that the purchaser or recipient of imported

controlled substances intends to transform those substances, or destruction verifications (as in paragraph (k) of this section) showing that the purchaser or recipient intends to destroy the controlled substances.

(i) Every person who has requested additional production allowances under § 82.9(e) of this subpart or destruction and transformation credits under § 82.9(f) of this subpart or consumption allowances under § 82.10(b) of this subpart or who transforms or destroys class I controlled substances not produced or imported by that person must maintain the following:

(1) Dated records of the quantity and level of each controlled substance transformed or destroyed;

(2) Copies of the invoices or receipts documenting the sale or transfer of the controlled substance to the person;

(3) In the case where those controlled substances are transformed, dated records of the names, commercial use, and quantities of the resulting chemical(s);

(4) In the case where those controlled substances are transformed, dated records of shipments to purchasers of the resulting chemical(s);

(5) Dated records of all shipments of controlled substances received by the person, and the identity of the producer or importer of the controlled substances;

(6) Dated records of inventories of controlled substances at each plant on the first day of each quarter; and

(7) A copy of the person's IRS certification of intent to transform or the purchaser's or recipient's destruction verification of intent to destroy (as under § 82.13(k)), in the case where substances were purchased or transferred for transformation or destruction purposes.

(j) Persons who destroy class I controlled substances shall, following promulgation of this rule, provide EPA with a one-time report stating the destruction unit's destruction efficiency and the methods used to record the volume destroyed and those used to determine destruction efficiency and the name of other relevant federal or state regulations that may apply to the destruction process. Any changes to the

unit's destruction efficiency or methods used to record volume destroyed and to determine destruction efficiency must be reflected in a revision to this report to be submitted to EPA within 60 days of the change.

(k) Persons who purchase or receive and subsequently destroy controlled class I substances that were originally produced without expending allowances shall provide the producer or importer from whom they purchased or received the controlled substances with a verification that controlled substances will be used in processes that result in their destruction.

(1) The destruction verification shall include the following:

(i) Identity and address of the person intending to destroy controlled substances;

(ii) Indication of whether those controlled substances will be completely destroyed, as defined in § 82.3 of this rule, or less than completely destroyed, in which case the destruction efficiency at which such substances will be destroyed must be included;

(iii) Period of time over which the person intends to destroy controlled substances; and

(iv) Signature of the verifying person.

(2) If, at any time, any aspects of this verification change, the person must submit a revised verification reflecting such changes to the producer from whom that person purchases controlled substances intended for destruction.

(l) Persons who purchase class I controlled substances and who subsequently transform such controlled substances shall provide the producer or importer with the IRS certification that the controlled substances are to be used in processes resulting in their transformation.

(m) Any person who transforms or destroys class I controlled substances who has submitted an IRS certificate of intent to transform or a destruction verification (as under paragraph (k) of this section) to the producer or importer of the controlled substance, must report the names and quantities of class I controlled substances transformed and destroyed for each control period within 45 days of the end of such control period.

(n) Every person who produces, imports, or exports class II chemicals must report its quarterly level of production, imports, and exports of these chemicals within 45 days of the end of each quarter (including those substances transformed or destroyed).

(o) Every person who imports or exports used class II controlled substances must report its annual level within 45 days of the end of the control period.

(p) Persons who import or export used controlled substances (including recycled or reclaimed) must label their bill of lading or invoice indicating that the controlled substance is used, recycled or reclaimed.

(q) Persons who import heels of controlled substances must label their bill of lading or invoice indicating that the controlled substance in the container is a heel.

(r) Every person who brings back a container with a heel to the United States, as defined in § 82.3, must report quarterly the amount brought into the United States certifying that the residual amount in each shipment is less than 10 percent of the volume of the container and will either:

(1) Remain in the container and be included in a future shipment;

(2) Be recovered and transformed;

(3) Be recovered and destroyed; or

(4) Be recovered for a non-emissive use.

(s) Every person who brings a container with a heel into the United States must report on the final disposition of each shipment within 45 days of the end of the control period.

(t) Every person who transships a controlled substance must maintain records that indicate that the controlled substance shipment originated in a foreign country destined for another foreign country, and does not enter interstate commerce with the United States.

(u) Any person allocated essential-use allowances who submits an order to a producer or importer for a controlled substance must report the quarterly quantity received from each producer

or importer. Any distributor of laboratory supplies receiving controlled substances under the global laboratory essential-use exemption for sale to laboratory customers must report quarterly the quantity received of each controlled substance from each producer or importer.

(v) Any distributor of laboratory supplies receiving class I controlled substances under the global laboratory essential-use exemption for sale to laboratory customers must report quarterly the quantity received of each class I controlled substance from each producer or importer. paragraph (y) of this section.

(w) Any distributor of laboratory supplies who purchased controlled substances under the global laboratory essential-use exemption must maintain as records copies of certifications from laboratory customers provided to the distributor pursuant to paragraph (y) of this section.

(x) Any distributor of laboratory supplies who purchased controlled substances under the global laboratory essential-use exemption must submit quarterly (except distributors following procedures in §82.4(z)) the quantity of each controlled substance purchased by each laboratory customer whose certification was previously provided to the distributor pursuant to paragraph (y) of this section.

(y) A laboratory customer purchasing a controlled substance under the global laboratory essential-use exemption must provide the producer, importer or distributor with a one-time-per-year certification for each controlled substance that the substance will only be used for laboratory applications and not be resold or used in manufacturing. The certification must also include:

(1) The identity and address of the laboratory customer;

(2) The name and phone number of a contact person for the laboratory customer;

(3) The name and quantity of each controlled substance purchased, and the estimated percent of the controlled substance that will be used for each listed type of laboratory application.

(z) Any distributor of laboratory supplies, who purchased class I controlled substances under the global laboratory

essential-use exemption, and who only sells the class I controlled substances as reference standards for calibrating laboratory analytical equipment, may write a letter to the Administrator requesting permission to submit the reports required under paragraph (x) of this section annually rather than quarterly. The Administrator will review the request and issue a notification of permission to file annual reports if, in the Administrator's judgment, the distributor meets the requirements of this paragraph. Upon receipt of a notification of extension from the Administrator, the distributor must submit annually the quantity of each controlled substance purchased by each laboratory customer whose certification was previously provided to the distributor pursuant to paragraph (y) of this section.

[60 FR 24986, May 10, 1995, as amended at 61 FR 3318, Jan. 31, 1996; 61 FR 29486, June 11, 1996; 63 FR 41646, Aug. 4, 1998]

#### APPENDIX A TO SUBPART A OF PART 82— CLASS I CONTROLLED SUBSTANCES

Class 1 controlled substances	ODP
<b>A. Group I:</b>	
CFCl <sub>3</sub> -Trichlorofluoromethane (CFC-II) .....	1.0
CF <sub>2</sub> Cl <sub>2</sub> -Dichlorodifluoromethane (CFC-12) .....	1.0
C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub> -Trichlorotrifluoroethane (CFC-113) ...	0.8
C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub> -Dichlorotetrafluoroethane (CFC-114)	1.0
C <sub>3</sub> F <sub>5</sub> Cl-Monochloropentafluoroethane (CFC-115) .....	0.6
All isomers of the above chemicals	
<b>B. Group II:</b>	
CF <sub>2</sub> ClBr-Bromochlorodifluoromethane (Halon-1211) .....	3.0
CF <sub>3</sub> Br-Bromotrifluoromethane (Halon-1301) ....	10.0
C <sub>2</sub> F <sub>4</sub> Br <sub>2</sub> -Dibromotetrafluoroethane (Halon-2402) .....	6.0
All isomers of the above chemicals	
<b>C. Group III:</b>	
CF <sub>3</sub> Cl-Chlorotrifluoromethane (CFC-13) .....	1.0
C <sub>2</sub> FCl <sub>3</sub> -(CFC-111) .....	1.0
C <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub> -(CFC-112) .....	1.0
C <sub>3</sub> FCl <sub>2</sub> -(CFC-211) .....	1.0
C <sub>3</sub> F <sub>2</sub> Cl-(CFC-212) .....	1.0
C <sub>3</sub> F <sub>3</sub> Cl <sub>2</sub> -(CFC-213) .....	1.0
C <sub>3</sub> F <sub>4</sub> Cl-(CFC-214) .....	1.0
C <sub>3</sub> F <sub>5</sub> Cl <sub>2</sub> -(CFC-215) .....	1.0
C <sub>3</sub> F <sub>6</sub> Cl-(CFC-216) .....	1.0
C <sub>3</sub> F <sub>7</sub> Cl-(CFC-217) .....	1.0
All isomers of the above chemicals	
<b>D. Group IV: CCl<sub>4</sub>-Carbon Tetrachloride .....</b>	
<b>E. Group V:</b>	
C <sub>2</sub> H <sub>3</sub> Cl <sub>3</sub> -1,1,1 Trichloroethane (Methyl chloroform) .....	0.1
All isomers of the above chemical except 1,1,2-trichloroethane	
<b>F. Group VI: CH<sub>3</sub> Br—Bromomethane (Methyl Bromide) .....</b>	
<b>G. Group VII:</b>	
CHFBr <sub>2</sub> .....	1.00

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Class 1 controlled substances	ODP
CHF <sub>2</sub> Br (HBFC–2201) .....	0.74
CH <sub>2</sub> FBr .....	0.73
C <sub>2</sub> HFBr <sub>4</sub> .....	0.3–0.8
C <sub>2</sub> HF <sub>2</sub> Br <sub>3</sub> .....	0.5–1.8
C <sub>2</sub> HF <sub>3</sub> Br <sub>2</sub> .....	0.4–1.6
C <sub>2</sub> HF <sub>4</sub> Br .....	0.7–1.2
C <sub>2</sub> H <sub>2</sub> FBr <sub>3</sub> .....	0.1–1.1
C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Br <sub>2</sub> .....	0.2–1.5
C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> Br .....	0.7–1.6
C <sub>2</sub> H <sub>2</sub> FBr <sub>2</sub> .....	0.1–1.7
C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Br .....	0.2–1.1
C <sub>2</sub> H <sub>4</sub> FBr .....	0.07–0.1
C <sub>3</sub> HFBr <sub>5</sub> .....	0.3–1.5
C <sub>3</sub> HF <sub>2</sub> Br <sub>4</sub> .....	0.2–1.9
C <sub>3</sub> HF <sub>3</sub> Br <sub>3</sub> .....	0.3–1.8
C <sub>3</sub> HF <sub>4</sub> Br <sub>2</sub> .....	0.5–2.2
C <sub>3</sub> HF <sub>5</sub> Br .....	0.9–2.0
C <sub>3</sub> HF <sub>6</sub> Br .....	0.7–3.3
C <sub>3</sub> H <sub>2</sub> FBr <sub>4</sub> .....	0.1–1.9
C <sub>3</sub> H <sub>2</sub> F <sub>2</sub> Br <sub>3</sub> .....	0.2–2.1
C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Br <sub>2</sub> .....	0.2–5.6
C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Br .....	0.3–7.5
C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> Br .....	0.9–14
C <sub>3</sub> H <sub>3</sub> FBr <sub>3</sub> .....	0.08–1.9
C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Br <sub>2</sub> .....	0.1–3.1
C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Br .....	0.1–2.5
C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Br .....	0.3–4.4
C <sub>3</sub> H <sub>4</sub> FBr <sub>2</sub> .....	0.03–0.3
C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Br .....	0.1–1.0
C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Br .....	0.07–0.8
C <sub>3</sub> H <sub>5</sub> FBr .....	0.04–0.4
C <sub>3</sub> H <sub>5</sub> F <sub>2</sub> Br .....	0.07–0.8
C <sub>3</sub> H <sub>6</sub> FB .....	0.02–0.7

APPENDIX B TO SUBPART A OF PART 82—  
CLASS II CONTROLLED SUBSTANCES

Controlled substance	ODP
CHFCl <sub>2</sub> -Dichlorofluoromethane (HCFC–21) ..	[Reserved].

Controlled substance	ODP
CHF <sub>2</sub> Cl-Chlorodifluoromethane (HCFC–22)	0.05
CH <sub>2</sub> FCl-Chlorofluoromethane (HCFC–31) ...	[Reserved].
C <sub>2</sub> HFCl <sub>3</sub> -(HCFC–121) .....	[Reserved].
C <sub>2</sub> HF <sub>2</sub> Cl <sub>2</sub> -(HCFC–122) .....	[Reserved].
C <sub>2</sub> HF <sub>3</sub> Cl-(HCFC–123) .....	0.02
C <sub>2</sub> HF <sub>4</sub> Cl-(HCFC–124) .....	0.02
C <sub>2</sub> H <sub>2</sub> FCl <sub>3</sub> -(HCFC–131) .....	[Reserved].
C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub> -(HCFC–132b) .....	[Reserved].
C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> Cl-(HCFC–133a) .....	[Reserved].
C <sub>2</sub> H <sub>3</sub> FCl <sub>2</sub> -(HCFC–141b) .....	0.12
C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Cl-(HCFC–142b) .....	0.06
C <sub>3</sub> HCFC <sub>6</sub> -(HCFC–221) .....	[Reserved].
C <sub>3</sub> HF <sub>2</sub> Cl <sub>3</sub> -(HCFC–222) .....	[Reserved].
C <sub>3</sub> HF <sub>3</sub> Cl <sub>2</sub> -(HCFC–223) .....	[Reserved].
C <sub>3</sub> HF <sub>4</sub> Cl-(HCFC–224) .....	[Reserved].
C <sub>3</sub> HF <sub>5</sub> Cl <sub>2</sub> -(HCFC–225ca) .....	[Reserved].
C <sub>3</sub> HF <sub>5</sub> Cl-(HCFC–225cb) .....	[Reserved].
C <sub>3</sub> HF <sub>6</sub> Cl-(HCFC–226) .....	[Reserved].
C <sub>3</sub> H <sub>2</sub> FCl <sub>3</sub> -(HCFC–231) .....	[Reserved].
C <sub>3</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub> -(HCFC–232) .....	[Reserved].
C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Cl-(HCFC–233) .....	[Reserved].
C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub> -(HCFC–234) .....	[Reserved].
C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> Cl-(HCFC–235) .....	[Reserved].
C <sub>3</sub> H <sub>3</sub> FCl <sub>2</sub> -(HCFC–241) .....	[Reserved].
C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Cl <sub>3</sub> -(HCFC–242) .....	[Reserved].
C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Cl <sub>2</sub> -(HCFC–243) .....	[Reserved].
C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Cl-(HCFC–244) .....	[Reserved].
C <sub>3</sub> H <sub>4</sub> FCl <sub>3</sub> -(HCFC–251) .....	[Reserved].
C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Cl <sub>2</sub> -(HCFC–252) .....	[Reserved].
C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Cl-(HCFC–253) .....	[Reserved].
C <sub>3</sub> H <sub>5</sub> FCl <sub>2</sub> -(HCFC–261) .....	[Reserved].
C <sub>3</sub> H <sub>5</sub> F <sub>2</sub> Cl-(HCFC–262) .....	[Reserved].
C <sub>3</sub> H <sub>6</sub> FCl-(HCFC–271) .....	[Reserved].
All isomers of the above chemicals	[Reserved].

APPENDIX C TO SUBPART A OF PART 82—  
PARTIES TO THE MONTREAL PROTOCOL (AS OF FEBRUARY 19, 1998)

Foreign state	Montreal protocol	London amendments	Copenhagen amendments
Algeria .....	✓	✓	✓
Antigua and Barbuda .....	✓	✓	✓
Argentina .....	✓	✓	✓
Australia .....	✓	✓	✓
Austria .....	✓	✓	✓
Azerbaijan .....	✓	✓	✓
Bahamas .....	✓	✓	✓
Bahrain .....	✓	✓	✓
Bangladesh .....	✓	✓	✓
Barbados .....	✓	✓	✓
Belarus .....	✓	✓	✓
Belgium .....	✓	✓	✓
Belize .....	✓	✓	✓
Benin .....	✓	✓	✓
Bolivia .....	✓	✓	✓
Bosnia and Herzegovina .....	✓	✓	✓
Botswana .....	✓	✓	✓
Brazil .....	✓	✓	✓
Brunei Darussalam .....	✓	✓	✓
Bulgaria .....	✓	✓	✓
Burkina Faso .....	✓	✓	✓
Burundi .....	✓	✓	✓
Cameroon .....	✓	✓	✓
Canada .....	✓	✓	✓
Central African Republic .....	✓	✓	✓
Chad .....	✓	✓	✓
Chile .....	✓	✓	✓
China .....	✓	✓	✓



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Foreign state	Montreal protocol	London amend- ments	Copen- hagen amend- ments
Colombia .....	✓	✓	✓
Comoros .....	✓	✓	.....
Congo .....	✓	✓	.....
Congo, Democratic Republic of .....	✓	✓	✓
Costa Rica .....	✓	.....	.....
Cote d'Ivoire .....	✓	✓	.....
Croatia .....	✓	✓	✓
Cuba .....	✓	.....	.....
Cyprus .....	✓	✓	.....
Czech Republic .....	✓	✓	✓
Denmark .....	✓	✓	✓
Dominica .....	✓	✓	.....
Dominican Republic .....	✓	.....	.....
Ecuador .....	✓	✓	✓
Egypt .....	✓	✓	✓
El Salvador .....	✓	.....	.....
Equatorial Guinea .....	✓	.....	.....
Estonia .....	✓	.....	.....
Ethiopia .....	✓	.....	.....
European Community .....	✓	✓	✓
Federated States of Micronesia .....	✓	.....	.....
Fiji .....	✓	✓	.....
Finland .....	✓	✓	✓
France .....	✓	✓	✓
Gabon .....	✓	.....	.....
Gambia .....	✓	✓	.....
Georgia .....	✓	.....	.....
Germany .....	✓	✓	✓
Ghana .....	✓	✓	.....
Greece .....	✓	✓	✓
Grenada .....	✓	✓	.....
Guatemala .....	✓	.....	.....
Guinea .....	✓	✓	.....
Guyana .....	✓	.....	.....
Honduras .....	✓	.....	.....
Hungary .....	✓	.....	✓
Iceland .....	✓	✓	✓
India .....	✓	.....	.....
Indonesia .....	✓	✓	.....
Iran, Islamic .....	✓	✓	✓
Ireland .....	✓	✓	✓
Israel .....	✓	✓	✓
Italy .....	✓	✓	✓
Jamaica .....	✓	✓	✓
Japan .....	✓	✓	✓
Jordan .....	✓	✓	✓
Kenya .....	✓	✓	✓
Kiribati .....	✓	.....	.....
Korea, Democratic People's Republic of .....	✓	.....	.....
Korea, Republic of .....	✓	✓	✓
Kuwait .....	✓	✓	✓
Latvia .....	✓	.....	.....
Lebanon .....	✓	✓	.....
Lesotho .....	✓	✓	.....
Liberia .....	✓	✓	✓
Libyan Arab Jamahiriya .....	✓	.....	.....
Liechtenstein .....	✓	✓	✓
Lithuania .....	✓	✓	✓
Luxembourg .....	✓	✓	✓
Madagascar .....	✓	.....	.....
Malawi .....	✓	✓	✓
Malaysia .....	✓	✓	✓
Maldives .....	✓	.....	.....
Mali .....	✓	✓	.....
Malta .....	✓	✓	.....
Marshall Islands .....	✓	✓	✓
Mauritania .....	✓	.....	.....
Mauritius .....	✓	✓	✓
Mexico .....	✓	✓	✓
Modlova .....	✓	.....	.....
Monaco .....	✓	✓	.....
Mongolia .....	✓	✓	✓

Foreign state	Montreal protocol	London amend- ments	Copen- hagen amend- ments
Morocco .....	✓	✓	✓
Mozambique .....	✓	✓	✓
Myanmar .....	✓	✓	.....
Namibia .....	✓	✓	.....
Nepal .....	✓	✓	.....
Netherlands .....	✓	✓	✓
New Zealand .....	✓	✓	✓
Nicaragua .....	✓	.....	.....
Niger .....	✓	✓	.....
Nigeria .....	✓	.....	.....
Norway .....	✓	✓	✓
Pakistan .....	✓	✓	✓
Panama .....	✓	✓	✓
Papua New Guinea .....	✓	✓	.....
Paraguay .....	✓	✓	.....
Peru .....	✓	✓	.....
Philippines .....	✓	✓	.....
Poland .....	✓	✓	✓
Portugal .....	✓	✓	.....
Qatar .....	✓	✓	✓
Romania .....	✓	✓	.....
Russian Federation .....	✓	✓	.....
Saint Kitts & Nevis .....	✓	.....	.....
Saint Lucia .....	✓	.....	.....
Saint Vincent and the Grenadines .....	✓	✓	✓
Samoa .....	✓	.....	.....
Saudi Arabia .....	✓	✓	✓
Senegal .....	✓	✓	.....
Seychelles .....	✓	✓	✓
Singapore .....	✓	✓	.....
Slovakia .....	✓	✓	✓
Slovenia .....	✓	✓	.....
Solomon Islands .....	✓	.....	.....
South Africa .....	✓	✓	.....
Spain .....	✓	✓	✓
Sri Lanka .....	✓	✓	✓
Sudan .....	✓	.....	.....
Suriname .....	✓	.....	.....
Swaziland .....	✓	.....	.....
Sweden .....	✓	✓	✓
Switzerland .....	✓	✓	✓
Syrian Arab Republic .....	✓	.....	.....
Tajikistan .....	✓	✓	.....
Tanzania, United Republic of .....	✓	✓	.....
Thailand .....	✓	✓	✓
The Former Yugoslav Republic of Macedonia .....	✓	.....	.....
Togo .....	✓	.....	.....
Trinidad and Tobago .....	✓	.....	.....
Tunisia .....	✓	✓	✓
Turkey .....	✓	✓	✓
Turkmenistan .....	✓	✓	.....
Tuvalu .....	✓	.....	.....
Uganda .....	✓	✓	.....
Ukraine .....	✓	.....	.....
United Arab Emirates .....	✓	.....	.....
United Kingdom .....	✓	✓	✓
USA .....	✓	✓	✓
Uruguay .....	✓	✓	✓
Uzbekistan .....	✓	.....	.....
Vanuatu .....	✓	✓	✓
Venezuela .....	✓	✓	✓
Viet Nam .....	✓	✓	✓
Yemen .....	✓	.....	.....
Yugoslavia .....	✓	.....	.....
Zambia .....	✓	✓	.....
Zimbabwe .....	✓	✓	✓

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NOTE: Updated lists of Parties to the Protocol and the Amendments can be located at: [www.unep.org/unep/secretar/ozone/home.htm](http://www.unep.org/unep/secretar/ozone/home.htm) [63 FR 41648, Aug. 4, 1998]

ANNEX 2 TO SUBPART A—NATIONS COMPLYING WITH, BUT NOT PARTIES TO, THE PROTOCOL [RESERVED]

### APPENDIX D TO SUBPART A OF PART 82— HARMONIZED TARIFF SCHEDULE DESCRIPTION OF PRODUCTS THAT MAY CONTAIN CONTROLLED SUBSTANCES IN APPENDIX A, CLASS I, GROUPS I AND II

This Appendix is based on information provided by the Ozone Secretariat of the United Nations Ozone Environment Programme.\*\* The Appendix lists available U.S. harmonized tariff schedule codes identifying headings and subheadings for Annex D products that may contain controlled substances.

The Harmonized Tariff Schedule of the United States uses a enumeration system to identify products imported and exported to and from the U.S. This system relies on a four digit heading, a four digit subheading and additional two digit statistical suffix to

characterize products. The United States uses the suffix for its own statistical records and analyses. This Appendix lists only headings and subheadings.

While some can be readily associated with harmonized system codes, many products cannot be tied to HS classifications unless their exact composition and the presentation are known. It should be noted that the specified HS classifications represent the most likely headings and subheadings which may contain substances controlled by the Montreal Protocol. The codes given should only be used as a starting point; further verification is needed to ascertain whether or not the products actually contain controlled substances.

#### CATEGORY 1. AUTOMOBILE AND TRUCK AIR CONDITIONING UNITS (WHETHER INCORPORATED IN VEHICLES OR NOT)

There are no separate code numbers for air conditioning units specially used in automobiles and trucks. Although a code has been proposed for car air conditioners, it is not yet officially listed in the Harmonized Tariff Schedule (see category 2). The following codes apply to the vehicles potentially containing air conditioning units.

<i>Heading/Subheading</i>	<i>Article Description</i>
8701.(10, 20, 30, 90)***	Tractors.
8702	Public-transport type passenger motor vehicles.
8702.10	With compression-ignition internal-combustion piston engine (diesel or semi-diesel).
8702.90	Other.
8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars.
8703.10	Vehicles specially designed for traveling on snow; golf carts and similar vehicles; includes subheading 10.10 and 10.50.
8703.(21, 22, 23, 24)	Other vehicles, with spark-ignition internal combustion reciprocating engines.
8703.(31, 32, 33, 90)	Other vehicles, with compression-ignition internal combustion piston engine (diesel or semi-diesel).
8704	Motor vehicles for the transport of goods.
8704.10.(10, 50)	Dumpers designed for off-highway use.
8704.(21, 22, 23)	Other, with compression-ignition internal combustion piston engine (diesel or semi-diesel).
8704.(31, 32, 90)	Other, with compression-ignition internal combustion piston engine.
8705	Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, wreckers, mobile cranes, fire fighting vehicles, concrete mixers, road sweepers, spraying vehicles, mobile workshops, mobile radiological units).
8705.10	Crane lorries.
8705.20	Mobile drilling derricks.
8705.30	Fire fighting vehicles.

\*\*“A Note Regarding the Harmonized System Code Numbers for the Products Listed in Annex D.” Adopted by Decision IV/15 para-

graph 3, of the Fourth Meeting of the Parties in Copenhagen, 23–25 November, 1992.

<i>Heading/Subheading</i>	<i>Article Description</i>
8705.90 .....	Other.
***At this time vehicle air conditioning units are considered components of vehicles or are classified under the general category for air conditioning and refrigeration equipment. Vehicles containing air conditioners are therefore considered products containing controlled substances.	

CATEGORY 2. DOMESTIC AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING/HEAT PUMP EQUIPMENT

Domestic and commercial air conditioning and refrigeration equipment fall primarily under headings 8415 and 8418.

<i>Heading/Subheading</i>	<i>Article Description</i>
8415 .....	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated.
8415.20 .....	Proposed code for air conditioning of a kind used for persons, in motor vehicles.
8415.10.00 .....	A/C window or wall types, self-contained.
8415.81.00 .....	Other, except parts, incorporating a refrigerating unit and a valve for reversal of the cooling/heat cycle.
8415.82.00 .....	Other, incorporating a refrigerating unit— Self-contained machines and remote condenser type air conditioners (not for year-round use). Year-round units (for heating and cooling). Air Conditioning evaporator coils. Dehumidifiers. Other air conditioning machines incorporating a refrigerating unit.
8415.83 .....	Automotive air conditioners.
8418 .....	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps, other than air conditioning machines of heading 8415; parts thereof.
8418.10.00 .....	Combined refrigerator-freezers, fitted with separate external doors.
8418.21.00 .....	Refrigerators, household type, Compression type.
8418.22.00 .....	Absorption type, electrical.
8418.29.00 .....	Other.
8418.30.00 .....	Freezers of the chest type.
8418.40 .....	Freezers of the upright type.
8418.50.0040 .....	Other refrigerating or freezing chests, cabinets, display counters, showcases and similar refrigerating or freezing furniture.
8418.61.00 .....	Other refrigerating or freezing equipment; heat pumps.
8418.69 .....	Other— Icemaking machines. Drinking water coolers, self-contained. Soda fountain and beer dispensing equipment. Centrifugal liquid chilling refrigerating units. Absorption liquid chilling units. Reciprocating liquid chilling units. Other refrigerating or freezing equipment (household or other).
8479.89.10 .....	Dehumidifiers (other than those under 8415 or 8424 classified as “machines and mechanical appliances having individual functions, not specified or included elsewhere”).

CATEGORY 3. AEROSOL PRODUCTS

An array of different products use controlled substances as aerosols and in aerosol applications. Not all aerosol applications use

controlled substances, however. The codes given below represent the most likely classifications for products containing controlled

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substances. The product codes listed include \*\*\*\*:

- varnishes
- perfumes
- preparations for use on hair
- preparations for oral and dental hygiene
- shaving preparations
- personal deodorants, bath preparations
- prepared room deodorizers
- soaps

- lubricants
- polishes and creams
- explosives
- insecticides, fungicides, herbicides, disinfectants
- arms and ammunition
- household products such as footwear or leather polishes
- other miscellaneous products

<i>Heading/Subheading</i>	<i>Article Description</i>
3208 .....	Paints and varnishes ***** (including enamels and lacquers) based on synthetic polymers of chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium.
3208.10 .....	Based on polyesters.
3208.20 .....	Based on acrylic or vinyl polymers.
3208.90 .....	Other.
3209 .....	Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in an aqueous medium.
3209.10 .....	Based on acrylic or vinyl polymers.
3209.90 .....	Other.
3210.00 .....	Other paints and varnishes (including enamels, lacquers and distempers) and prepared water pigments of a kind used for finishing leather.
3212.90 .....	Dyes and other coloring matter put up in forms or packings for retail sale.
3303.00 .....	Perfumes and toilet waters.
3304.30 .....	Manicure or pedicure preparations.
3305.10 .....	Shampoos.
3305.20 .....	Preparations for permanent waving or straightening.
3305.30 .....	Hair lacquers.
3305.90 .....	Other hair preparations.
3306.10 .....	Dentrifices.
3306.90 .....	Other dental (this may include breath sprays).
3307.10 .....	Pre-shave, shaving or after-shave preparations.
3307.20 .....	Personal deodorants and antiperspirants.
3307.30 .....	Perfumed bath salts and other bath preparations.
3307.49 .....	Other (this may include preparations for perfuming or deodorizing rooms, including odoriferous preparations used during religious rites, whether or not perfumed or having disinfectant properties).
3307.90 .....	Other (this may include depilatory products and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included)

\*\*\*\*\* Other categories of products that may contain controlled substances are listed below. EPA is currently working to match them with appropriate codes. They include: coatings and electronic equipment (e.g., electrical motors), coatings or cleaning fluids for aircraft maintenance, mold release agents (e.g. for production of plastic or elastomeric materials), water and oil repellant (poten-

tially under HS 3402), spray undercoats (potentially under "paints and varnishes"), spot removers, brake cleaners, safety sprays (e.g., mace cans), animal repellant, noise horns (e.g., for use on boats), weld inspection developers, freezants, gum removers, intruder alarms, tire inflators, dusters (for electronic and non-electronic applications), spray shoe polish, and suede protectors.

<i>Heading/Subheading</i>	<i>Article Description</i>
3403 .....	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants), and preparations of a kind used for the oil or grease treatment of textile materials, leather, fur skins or other materials, but excluding preparations containing, as basic constituents, 70 percent or more by weight of petroleum oils or of oils obtained from bituminous minerals.
3402 .....	Organic surface-active agents (other than soap); surface-active preparations, washing preparations and cleaning operations, whether or not containing soap, other than those of 3401.
3402.20 .....	Preparations put up for retail sale.
3402.19 .....	Other preparations containing petroleum oils or oils obtained from bituminous minerals.
3403 .....	Lubricating preparations consisting of mixtures containing silicone greases or oils, as the case may be.
2710.00 .....	Preparations not elsewhere specified or included, containing by weight 70 percent or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations.
3403.11 .....	Lubricants containing petroleum oils or oils obtained from bituminous minerals used for preparations from the treatment of textile materials, leather, fur skins or other materials.
3403.19 .....	Other preparations containing petroleum oils or oils obtained from bituminous minerals.
3405 .....	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations excluding waxes of heading 3404.
3405.10 .....	Polishes and creams for footwear or leather.
3405.20 .....	Polishes for wooden furniture, floors or other woodwork.
36 .....	Explosives.
3808 .....	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly papers).
3808.10 .....	Insecticides.
3808.20 .....	Fungicides.
3808.30 .....	Herbicides, anti-sprouting products and plant growth regulators.
3808.40 .....	Disinfectants.
3808.90 .....	Other insecticides, fungicides.
3809.10 .....	Finishing agents, dye carriers to accelerate the dyeing or fixing of dye-stuffs and other products and preparations (for example, dressings and mordants) of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included, with a basis of amylaceous substances.
3814 .....	Organic composite solvents and thinners (not elsewhere specified or included) and the prepared paint or varnish removers.
3910 .....	Silicones in primary forms.
9304 .....	Other arms (for example, spring, air or gas guns and pistols, truncheons), excluding those of heading No. 93.07. Thus, aerosol spray cans containing tear gas may be classified under this subheading.
0404.90 .....	Products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included.

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<i>Heading/Subheading</i>	<i>Article Description</i>
1517.90 .....	Edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No. 15.16.
2106.90 .....	Food preparations not elsewhere specified or included.
***** Although paints do not generally use contain controlled substances, some varnishes use CFC 113 and 1,1,1, trichlorethane as solvents.	

### CATEGORY 4. PORTABLE FIRE EXTINGUISHERS

<i>Heading/Subheading</i>	<i>Article Description</i>
8424 .....	Mechanical appliances (whether or not hand operated) for projecting, dispersing, or spraying liquids or powders; fire extinguishers whether or not charged, spray guns and similar appliances; steam or sand blasting machines and similar jet projecting machines.
8424.10 .....	Fire extinguishers, whether or not charged.

### CATEGORY 5. INSULATION BOARDS, PANELS AND PIPE COVERS

These goods have to be classified according to their composition and presentation. For example, if the insulation materials are made of polyurethane, polystyrene, polyolefin and phenolic plastics, then they may be classified Chapter 39, for "Plastics and articles thereof". The exact description of the products at issue is necessary before a classification can be given.

<i>Heading/Subheading</i>	<i>Article Description</i>
3917.21 to 3917.39 .....	Tubes, pipes and hoses of plastics.
3920.10 to 3920.99 .....	Plates, sheets, film, foil and strip made of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials.
3921.11 to 3921.90 .....	Other plates, sheets, film, foil and strip, made of plastics.
3925.90 .....	Builders' ware made of plastics, not elsewhere specified or included.
3926.90 .....	Articles made of plastics, not elsewhere specified or included.

### CATEGORY 6. PRE-POLYMERS

According to the Explanatory Notes to the Harmonized Commodity Description and Coding System, "prepolymers are products which are characterized by some repetition of monomer units although they may contain unreacted monomers. Prepolymers are not normally used as such but are intended to be transformed into higher molecular weight polymers by further polymerization. Therefore the term does not cover finished products, such as di-isobutylenes or mixed polyethylene glycols with very low molecular weight. Examples are epoxides based with epichlorohydrin, and polymeric isocyanates."

<i>Heading/Subheading</i>	<i>Article Description</i>
3901 .....	Pre-polymers based on ethylene (in primary forms).
3902 .....	Pre-polymers based on propylene or other olefins (in primary forms).
3903, 3907, 3909 .....	Pre-polymers based on styrene (in primary forms), epoxide and phenols.

\*\*\*\*\* This category may include insulating board for building panels and windows and doors. It also includes rigid appliance insulation for pipes, tanks, trucks, trailers, containers, train cars & ships, refrigerators, freezers, beverage vending machines, bulk beverage dispensers, water coolers and heaters and ice machines.

APPENDIX E TO SUBPART A OF PART 82—  
ARTICLE 5 PARTIES

Algeria, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran, Jamaica, Jordan, Kenya,

Kiribati, Lebanon, Lesotho, Libyan Arab Jamahiriya, Macadonia, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Republic of Korea, Romania, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Uruguay, Vanuatu, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

## APPENDIX F TO SUBPART A—LISTING OF OZONE-DEPLETING CHEMICALS

Controlled substance	ODP	AT L	CLP	BLP
A. Class I:				
1. Group I:				
CFCl <sub>3</sub> -Trichlorofluoromethane (CFC–11) .....	1.0	60.0	1.0	0.00
CF <sub>2</sub> Cl <sub>2</sub> -Dichlorodifluoromethane (CFC–12) .....	1.0	120.0	1.5	0.00
C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub> -Trichlorotrifluoroethane (CFC–113) .....	0.8	90.0	1.11	0.00
C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub> -Dichlorotetrafluoroethane (CFC–114) .....	1.0	200.00	1.8	0.00
C <sub>2</sub> F <sub>5</sub> Cl-Monochloropentafluoroethane (CFC–115) .....	0.6	400.0	2.0	0.00
All isomers of the above chemicals .....		[Reserved]		
2. Group II:				
CF <sub>2</sub> ClBr-Bromochlorodifluoromethane (Halon-1211) .....	3.0	12	0.06	0.13
.....		– 18	–.08	–.03
CF <sub>3</sub> Br-Bromotrifluoromethane (Halon-1301) .....	10.0	72	0.00	1.00
.....		– 107		
C <sub>2</sub> F <sub>4</sub> Br <sub>2</sub> -Dibromotetrafluoroethane (Halon-2402) ..	6.0	23	0.00	0.30
.....		– 28		–.37
All isomers of the above chemicals .....		[Reserved]		
3. Group III:				
CF <sub>3</sub> Cl-Chlorotrifluoromethane (CFC–13) .....	1.0	120	0.88	0.00
.....	– 250	– 1.83		
C <sub>2</sub> FCl <sub>5</sub> - (CFC–111) .....	1.0	60	1.04	0.00
.....	– 90	– 1.56		
C <sub>2</sub> F <sub>2</sub> Cl <sub>4</sub> - (CFC–112) .....	1.0	60	0.90	0.00
.....	– 90	– 1.35		
C <sub>3</sub> FCl <sub>7</sub> - (CFC–211) .....	1.0	100	1.76	0.00
.....	– 500	– 8.81		
C <sub>3</sub> F <sub>2</sub> Cl <sub>6</sub> - (CFC–212) .....	1.0	100	1.60	0.00
.....	– 500	– 7.98		
C <sub>3</sub> F <sub>3</sub> Cl <sub>5</sub> - (CFC–213) .....	1.0	100	1.41	0.00
.....	– 500	– 7.06		
C <sub>3</sub> F <sub>4</sub> Cl <sub>4</sub> - (CFC–214) .....	1.0	100	1.20	0.00
.....	– 500	– 6.01		
C <sub>3</sub> F <sub>5</sub> Cl <sub>3</sub> - (CFC–215) .....	1.0	100	0.96	0.00
.....	– 500	– 4.82		
C <sub>3</sub> F <sub>6</sub> Cl <sub>2</sub> - (CFC–216) .....	1.0	100	0.69	0.00
.....	– 500	– 3.45		
C <sub>3</sub> F <sub>7</sub> Cl- (CFC–217) .....	1.0	100	0.37	0.00
.....	– 500	– 1.87		
All isomers of the above chemicals .....		[Reserved]		
4. Group IV:				
CCl <sub>4</sub> -Carbon Tetrachloride .....	1.1	50.0	1.0	0.00
5. Group V:				
C <sub>2</sub> H <sub>3</sub> Cl <sub>3</sub> -1,1,1 Trichloroethane (Methyl chloroform)	0.1	6.3	0.11	0.00
All isomers of the above chemical except 1,1,2-trichloroethane .....		[Reserved]		
F. Group VI:				
CH <sub>3</sub> Br-Bromomethane (Methyl Bromide) .....	0.7		[Reserved]	
G. Group VII:				
CHFBr <sub>2</sub> - .....	1.00		[Reserved]	
CHF <sub>2</sub> Br- (HBFC–22B1) .....	0.74		[Reserved]	
CH <sub>2</sub> FBr .....	0.73		[Reserved]	
C <sub>2</sub> HFBr <sub>4</sub> .....	0.3–0.8		[Reserved]	
C <sub>2</sub> HF <sub>2</sub> Br <sub>3</sub> .....	0.5–1.8		[Reserved]	
C <sub>2</sub> HF <sub>3</sub> Br <sub>2</sub> .....	0.4–1.6		[Reserved]	



## APPENDIX F TO SUBPART A—LISTING OF OZONE-DEPLETING CHEMICALS—Continued

Controlled substance	ODP	AT L	CLP	BLP
C <sub>2</sub> HF <sub>2</sub> Br	0.7—1.2		[Reserved]	
C <sub>2</sub> H <sub>2</sub> FBr <sub>3</sub>	0.1—1.1		[Reserved]	
C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Br <sub>2</sub>	0.2—1.5		[Reserved]	
C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> Br	0.7—1.6		[Reserved]	
C <sub>2</sub> H <sub>3</sub> FBr <sub>2</sub>	0.1—1.7		[Reserved]	
C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Br	0.2—1.1		[Reserved]	
C <sub>2</sub> H <sub>4</sub> FBr	0.07—0.1		[Reserved]	
C <sub>3</sub> HFBr <sub>5</sub>	0.3—1.5		[Reserved]	
C <sub>3</sub> HF <sub>2</sub> Br <sub>5</sub>	0.2—1.9		[Reserved]	
C <sub>3</sub> HF <sub>3</sub> BR <sub>4</sub>	0.3—1.8		[Reserved]	
C <sub>3</sub> HF <sub>4</sub> Br <sub>3</sub>	0.5—2.2		[Reserved]	
C <sub>3</sub> HF <sub>5</sub> Br <sub>2</sub>	0.9—2.0		[Reserved]	
C <sub>3</sub> HF <sub>6</sub> Br	0.7—3.3		[Reserved]	
C <sub>3</sub> H <sub>2</sub> FBR <sub>5</sub>	0.1—1.9		[Reserved]	
C <sub>3</sub> H <sub>2</sub> F <sub>2</sub> BR <sub>4</sub>	0.2—2.1		[Reserved]	
C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Br <sub>3</sub>	0.2—5.6		[Reserved]	
C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Br <sub>2</sub>	0.3—7.5		[Reserved]	
C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> BR	0.9—1.4		[Reserved]	
C <sub>3</sub> H <sub>3</sub> FBR <sub>4</sub>	0.08—1.9		[Reserved]	
C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Br <sub>3</sub>	0.1—3.1		[Reserved]	
C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Br <sub>2</sub>	0.1—2.5		[Reserved]	
C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Br	0.3—4.4		[Reserved]	
C <sub>3</sub> H <sub>4</sub> FBr <sub>3</sub>	0.03—0.3		[Reserved]	
C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Br <sub>2</sub>	0.1—1.0		[Reserved]	
C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Br	0.07—0.8		[Reserved]	
C <sub>3</sub> H <sub>5</sub> FBr <sub>2</sub>	0.04—0.4		[Reserved]	
C <sub>3</sub> H <sub>5</sub> F <sub>2</sub> Br	0.07—0.8		[Reserved]	
C <sub>3</sub> H <sub>6</sub> FB	0.02—0.7		[Reserved]	
B. Class II:				
CHFCl <sub>2</sub> -Dichlorofluoromethane (HCFC-21)	[Reserved]	2.1	0.03	0.00
CHF <sub>2</sub> Cl-Chlorodifluoromethane (HCFC-22)	0.05	15.3	0.14	0.00
CH <sub>2</sub> FCl-Chlorofluoromethane (HCFC-31)	[Reserved]	1.44	0.02	0.00
C <sub>2</sub> HFCl <sub>4</sub> - (HCFC-121)	[Reserved]	0.6	0.01	0.00
C <sub>2</sub> HF <sub>2</sub> Cl <sub>3</sub> - (HCFC-122)	[Reserved]	1.4	0.02	0.00
C <sub>2</sub> HF <sub>3</sub> Cl <sub>2</sub> - (HCFC-123)	0.02	1.6	0.016	0.00
C <sub>2</sub> HF <sub>4</sub> Cl- (HCFC-124)	0.02	6.6	0.04	0.00
C <sub>2</sub> H <sub>2</sub> FCl <sub>3</sub> - (HCFC-131)	[Reserved]	4.0	0.06	0.00
C <sub>2</sub> H <sub>2</sub> F <sub>2</sub> Cl <sub>2</sub> - (HCFC-132b)	[Reserved]	4.2	0.05	0.00
C <sub>2</sub> H <sub>2</sub> F <sub>3</sub> Cl- (HCFC-133a)	[Reserved]	4.8	0.03	0.00
C <sub>2</sub> H <sub>3</sub> FCl <sub>2</sub> - (HCFC-141b)	0.12	7.8	0.10	0.00
C <sub>2</sub> H <sub>3</sub> F <sub>2</sub> Cl- (HCFC-142b)	0.06	19.1	0.14	0.00
C <sub>3</sub> HFCl <sub>6</sub> - (HCFC-221)	[Reserved]			0.00
C <sub>3</sub> HF <sub>2</sub> Cl <sub>5</sub> - (HCFC-222)	[Reserved]			0.00
C <sub>3</sub> HF <sub>3</sub> Cl <sub>4</sub> - (HCFC-223)	[Reserved]			0.00
C <sub>3</sub> HF <sub>4</sub> Cl <sub>3</sub> - (HCFC-224)	[Reserved]			0.00
C <sub>3</sub> HF <sub>5</sub> Cl <sub>2</sub> - (HCFC-225ca)	[Reserved]	1.5	0.01	0.00
		-1.7		
(HCFC-225cb)	[Reserved]	5.1	0.04	0.00
C <sub>3</sub> HF <sub>6</sub> Cl- (HCFC-226)	[Reserved]			0.00
C <sub>3</sub> H <sub>2</sub> FCl <sub>5</sub> - (HCFC-231)	[Reserved]			0.00
C <sub>3</sub> H <sub>2</sub> F <sub>24</sub> - (HCFC-232)	[Reserved]			0.00
C <sub>3</sub> H <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub> - (HCFC-233)	[Reserved]			0.00
C <sub>3</sub> H <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub> - (HCFC-234)	[Reserved]			0.00
C <sub>3</sub> H <sub>2</sub> F <sub>5</sub> Cl- (HCFC-235)	[Reserved]			0.00
C <sub>3</sub> H <sub>3</sub> FCl <sub>4</sub> - (HCFC-241)	[Reserved]			0.00
C <sub>3</sub> H <sub>3</sub> F <sub>2</sub> Cl <sub>3</sub> - (HCFC-242)	[Reserved]			0.00
C <sub>3</sub> H <sub>3</sub> F <sub>3</sub> Cl <sub>2</sub> - (HCFC-243)	[Reserved]			0.00
C <sub>3</sub> H <sub>3</sub> F <sub>4</sub> Cl- (HCFC-244)	[Reserved]			0.00
C <sub>3</sub> H <sub>4</sub> FCl <sub>3</sub> - (HCFC-251)	[Reserved]			0.00
C <sub>3</sub> H <sub>4</sub> F <sub>2</sub> Cl <sub>2</sub> - (HCFC-252)	[Reserved]			0.00
C <sub>3</sub> H <sub>4</sub> F <sub>3</sub> Cl- (HCFC-253)	[Reserved]			0.00
C <sub>3</sub> H <sub>5</sub> FCl <sub>2</sub> - (HCFC-261)	[Reserved]			0.00
C <sub>3</sub> H <sub>5</sub> F <sub>2</sub> Cl- (HCFC-262)	[Reserved]			0.00
C <sub>3</sub> H <sub>6</sub> FCl- (HCFC-271)	[Reserved]			0.00
All isomers of the above chemicals			[Reserved]	

APPENDIX G TO SUBPART A OF PART 82—  
UNEP RECOMMENDATIONS FOR CON-  
DITIONS APPLIED TO EXEMPTION FOR  
LABORATORY AND ANALYTICAL USES

1. Laboratory purposes are identified at this time to include equipment calibration; use as extraction solvents, diluents, or carriers for chemical analysis; biochemical research; inert solvents for chemical reactions, as a carrier or laboratory chemical and other critical analytical and laboratory purposes. Production for laboratory and analytical purposes is authorized provided that these laboratory and analytical chemicals shall contain only controlled substances manufactured to the following purities:

CTC (reagent grade) .....	99.5
1,1,1-trichloroethane .....	99.0
CFC-11 .....	99.5
CFC-13 .....	99.5
CFC-12 .....	99.5
CFC-113 .....	99.5
CFC-114 .....	99.5
Other w/ Boiling P>20° .....	C99.5
Other w/ Boiling P<20° .....	C99.0

2. These pure, controlled substances can be subsequently mixed by manufacturers, agents or distributors with other chemicals controlled or not controlled by the Montreal Protocol as is customary for laboratory and analytical uses.

3. These high purity substances and mixtures containing controlled substances shall be supplied only in re-closable containers or high pressure cylinders smaller than three litres or in 10 millilitre or smaller glass ampoules, marked clearly as substances that

deplete the ozone layer, restricted to laboratory use and analytical purposes and specifying that used or surplus substances should be collected and recycled, if practical. The material should be destroyed if recycling is not practical.

4. Parties shall annually report for each controlled substance produced: the purity; the quantity; the application, specific test standard, or procedure requiring its uses; and the status of efforts to eliminate its use in each application. Parties shall also submit copies of published instructions, standards, specifications, and regulations requiring the use of the controlled substance.

APPENDIX H TO SUBPART A OF PART 82—  
CLEAN AIR ACT AMENDMENTS OF  
1990 PHASEOUT SCHEDULE FOR PRO-  
DUCTION OF OZONE-DEPLETING SUB-  
STANCES

Date	Carbon tetra- chloride (percent)	Methyl chloro- form (per- cent)	Other class sub- stances (percent)
1994 .....	70	85	65
1995 .....	15	70	50
1996 .....	15	50	40
1997 .....	15	50	15
1998 .....	15	50	15
1999 .....	15	50	15
2000 .....		20	
2001 .....		20	

APPENDIX I TO SUBPART A—GLOBAL WARMING POTENTIALS (MASS BASIS), REFERENCED TO THE  
ABSOLUTE GWP FOR THE ADOPTED CARBON CYCLE MODEL CO<sub>2</sub> DECAY RESPONSE AND FUTURE  
CO<sub>2</sub> ATMOSPHERIC CONCENTRATIONS HELD CONSTANT AT CURRENT LEVELS. (ONLY DIRECT EF-  
FECTS ARE CONSIDERED.)

Species (chemical)	Chemical formula	Global warming potential (time horizon)		
		20 years	100 years	500 years
CFC-11 .....	CFCl <sub>3</sub>	5000	4000	1400
CFC-12 .....	CF <sub>2</sub> Cl <sub>2</sub>	7900	8500	4200
CFC-13 .....	CClF <sub>3</sub>	8100	11700	13600
CFC-113 .....	C <sub>2</sub> F <sub>3</sub> Cl <sub>3</sub>	5000	5000	2300
CFC-114 .....	C <sub>2</sub> F <sub>4</sub> Cl <sub>2</sub>	6900	9300	8300
CFC-115 .....	C <sub>2</sub> F <sub>5</sub> Cl	6200	9300	13000
H-1301 .....	CF <sub>3</sub> Br	6200	5600	2200
Carbon Tet .....	CCl <sub>4</sub>	2000	1400	500
Methyl Chl .....	CH <sub>3</sub> CCl <sub>3</sub>	360	110	35
HCFC-22 .....	CF <sub>2</sub> HCl	4300	1700	520
HCFC-141b .....	C <sub>2</sub> FH <sub>3</sub> Cl <sub>2</sub>	1800	630	200
HCFC-142b .....	C <sub>2</sub> F <sub>2</sub> H <sub>3</sub> Cl	4200	2000	630
HCFC-123 .....	C <sub>2</sub> F <sub>3</sub> HCl <sub>2</sub>	300	93	29
HCFC-124 .....	C <sub>2</sub> F <sub>4</sub> HCl	1500	480	150
HCFC-225ca .....	C <sub>3</sub> F <sub>5</sub> HCl <sub>2</sub>	550	170	52
HCFC-225cb .....	C <sub>3</sub> F <sub>5</sub> HCl <sub>2</sub>	1700	530	170

United Nations Environment Programme (UNEP), February 1995, Scientific Assessment of Ozone Depletion: 1994, Chapter 13, "Ozone Depleting Potentials, Global Warming Potentials and Future Chlorine/Bromine Loading," and do not reflect review of scientific documents published after that date.

[61 FR 1285, Jan. 19, 1996]

## Environmental Protection Agency

§ 82.32

APPENDIX J TO SUBPART A OF PART 82—  
PARTIES TO THE MONTREAL PRO-  
TOCOL CLASSIED UNDER ARTICLE 5(1)  
THAT HAVE BANNED THE IMPORT OF  
CONTROLLED PRODUCTS THAT RELY  
ON CLASS I CONTROLLED SUB-  
STANCES FOR THEIR CONTINUING  
FUNCTIONING [RESERVED]

APPENDIX K TO SUBPART A OF PART 82—  
COMMODITY CODES FROM THE HAR-  
MONIZED TARIFF SCHEDULE FOR CON-  
TROLLED SUBSTANCES AND USED  
CONTROLLED SUBSTANCES

Description of commodity or chemical	Commodity code from harmonized tariff schedule
CFC-11 .....	2903.41.0000
CFC-12 .....	2903.42.0000
CFC-113 .....	2903.43.0000
CFC-114 .....	2903.44.0010
CFC-115 .....	2903.44.0020
HALONS .....	2903.46.0000
CFC-13, CFC-111, CFC-112, CFC-211, CFC-212, CFC-213, CFC-214, CFC-215, CFC-216, CFC-217	2903.45.0000
HCFC-22 .....	2903.49.9010
HCFC-21, HCFC-31, HCFC-123, HCFC-124, HCFC-133, HCFC-141b, HCFC-142b, HCFC-225 .....	2903.49.0000
OTHER, HALOGENATED .....	2903.49.9060
MIXTURES (R-500, R-502, ETC.) .....	3824.71.0000
MIXTURES, OTHER .....	3824.79.0000
CARBON TETRACHLORIDE .....	2903.14.0000
METHYL CHLOROFORM .....	2903.19.6010
METHYL BROMIDE .....	2903.30.1520

[63 FR 41651, Aug. 4, 1998]

### Subpart B—Servicing of Motor Vehicle Air Conditioners

SOURCE: 57 FR 31261, July 14, 1992, unless  
otherwise noted.

#### § 82.30 Purpose and scope.

(a) The purpose of the regulations in this subpart B is to implement section 609 of the Clean Air Act, as amended (Act) regarding the servicing of motor vehicle air conditioners (MVACs), and to implement section 608 of the Act regarding certain servicing, maintenance, repair and disposal of air conditioners in MVACs and MVAC-like appliances (as that term is defined in 40 CFR 82.152).

(b) These regulations apply to any person performing service on a motor vehicle for consideration when this service involves the refrigerant in the motor vehicle air conditioner.

[57 FR 31261, July 14, 1992, as amended at 62 FR 68046, Dec. 30, 1997]

#### § 82.32 Definitions.

(a) *Approved independent standards testing organization* means any organization which has applied for and received approval from the Administrator pursuant to § 82.38.

(b) *Approved refrigerant recycling equipment* means equipment certified by the Administrator or an organization approved under § 82.38 as meeting either one of the standards in § 82.36. Such equipment extracts and recycles refrigerant or extracts refrigerant for recycling on-site or reclamation off-site.

(c) *Motor vehicle* as used in this subpart means any vehicle which is self-propelled and designed for transporting persons or property on a street or highway, including but not limited to passenger cars, light duty vehicles, and heavy duty vehicles. This definition does not include a vehicle where final assembly of the vehicle has not been completed by the original equipment manufacturer.